

Easton Point, FIN 1656
Penalty Calculation

VIOLATION I

Failure to conduct tank release detection on an UST as required by COMAR § 26.10.05.02(B)
(40 C.F.R. § 280.41(a))

Potential for Harm/Extent of Deviation	Major/Major
Matrix Value:	\$3,500

Matrix Value: assessed per tank (Five USTs)

Environmental Sensitivity Multiplier:	N/A
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Violator Specific Adjustments	N/A
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Dates of noncompliance: see attached table

Days of noncompliance: see below

Tank 2

Noncompliance days: 320

DNC Multiplier = 2.5

Matrix Value x # of USTs x DNC

\$3,500 x 1 UST x 2.5 DNC:	\$8,750
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Tanks 1, 4, and 5

Noncompliance days: T1 = 482, T4 = 497, T5 = 406

DNC Multiplier = 3.0 for each tank

Matrix Value x # of USTs x DNC

\$3,500 x 3 USTs x 3.0 DNC:	\$31,500
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Tank 3

Noncompliance days = 643

DNC Multiplier = 3.5

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Matrix Value x # of USTs x DNC

\$3,500 x 1 UST x 3.5 DNC: \$12,250

Economic Benefit: N/A, Veeder-Root in place for all tanks

Total \$52,500.00

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VIOLATION II

Failure to test LLDs annually as required by COMAR § 26.10.05.02(C)(2)(a) / COMAR § 26.10.05.05(B) (40 C.F.R. § 280.41(b)(1)(i)) / (40 C.F.R. § 280.44(a))

Potential for Harm/Extent of Deviation	Major/Major
Matrix Value:	\$3,500
Matrix Value: assessed per piping run (five USTs)	

Environmental Sensitivity Multiplier:	N/A
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Violator Specific Adjustments	N/A
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Tanks 1 and 3

Dates of Noncompliance (DNC): 9/1/17 (test due) – 3/23/18 (tested) = 203 days
DNC Multiplier = 2.0

Matrix Value x # of USTs x DNC

\$3,500 x 2 lines x 2.0 DNC:	\$14,000
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Tanks 2, 4, and 5

Dates of Noncompliance (DNC): 7/26/17 (test due) – 3/23/18 (tested) = 240 days
DNC Multiplier = 2.0

Matrix Value x # of USTs x DNC

\$3,500 x 3 lines x 2.0 DNC:	\$21,000
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Economic Benefit: Estimate \$200 per line/LLD (includes LLD & LTT)

Tanks 1 and 3 = \$441

Tanks 2, 4, and 5 = \$291

Total =	\$732
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Total:	\$35,732
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VIOLATION III

Failure to have a secondary method of piping release detection as required by COMAR § 26.10.05.02(C)(2)(b) / COMAR § 26.10.05.05(C) (40 C.F.R. § 280.41(b)(1)(ii)) / (40 C.F.R. § 280.44(b) or (c))

Potential for Harm/Extent of Deviation	Major/Major
Matrix Value:	\$3,500
Matrix Value: assessed per piping run (five USTs)	

Environmental Sensitivity Multiplier:	N/A
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Violator Specific Adjustments	N/A
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Tanks 1 and 3

Dates of Noncompliance (DNC): 9/1/17 (test due) – 3/23/18 (tested) = 203 days
DNC Multiplier = 2.0

Matrix Value x # of USTs x DNC

\$3,500 x 2 lines x 2.0 DNC:	\$14,000
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Tanks 2, 4, and 5

Dates of Noncompliance (DNC): 6/27/17 (test due) – 3/23/18 (tested) = 269 days
DNC Multiplier = 2.0

Matrix Value x # of USTs x DNC

\$3,500 x 3 lines x 2.0 DNC:	\$21,000
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Economic Benefit:	Included as part of LLD est testing costs	---
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Total:	\$35,000
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VIOLATION IV

Failure to report a suspected release as required by COMAR §26.10.08.01(B)(3) (40 C.F.R. § 280.50(c))

Potential for Harm/Extent of Deviation	Major/Major
Matrix Value:	\$3,500
Matrix Value: (T/F) assessed per facility	

Environmental Sensitivity Multiplier:	N/A
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Violator Specific Adjustments	N/A
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Tank 3

Dates of Noncompliance (DNC): 2/20/17 and 2/27/17 (Veeder-Root gave Fail results)
DNC Multiplier = 1.0

Matrix Value x # of USTs x DNC

\$3,500 x 1 Facility x 1.0 DNC:	\$3,500
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Economic Benefit: not calculated

Total:	\$3,500
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VIOLATION V

Failure to investigate a suspected release as required by COMAR §26.10.08.03 (40 C.F.R. § 280.52)

Potential for Harm/Extent of Deviation	Major/Major
Matrix Value:	\$3,500
Matrix Value: (T/F) assessed per facility	
Environmental Sensitivity Multiplier:	N/A
Violator Specific Adjustments	N/A

Tank 3

Dates of Noncompliance (DNC): 2/20/17 and 2/27/17 (Veeder-Root gave Fail results)
DNC Multiplier = 1.0

Matrix Value x # of USTs x DNC

\$3,500 x 1 Facility x 1.0 DNC:	\$3,500
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Economic Benefit: not calculated

Total:	\$3,500
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VIOLATION VI

Failure to test cathodic protection system as required by COMAR §26.10.04.02(D)(1) (40 C.F.R. § 280.31(b)(1))

Potential for Harm/Extent of Deviation	Major/Major
Matrix Value:	\$3,500
Matrix Value: (T/F) assessed per facility	
Environmental Sensitivity Multiplier:	N/A
Violator Specific Adjustments	N/A

Tanks 1 - 5

Dates of Noncompliance (DNC): 6/17/17 (test due) – 2/1/18 (test) = 229
DNC Multiplier = 2.0

Matrix Value x # of USTs x DNC

\$3,500 x 1 Facility x 2.0 DNC:	\$7,000
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Economic Benefit: not calculated

Total:	\$7,000
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TOTAL PENALTY

Violation I - Failure to conduct tank release detection (5 USTs)	\$52,500.00
Violation II - Failure to test LLDs (5 USTs)	\$35,732.00
Violation III - Failure to conduct piping RD (5 USTs)	\$35,000.00
Violation IV – Failure to report a suspected release (Facility)	\$3,500.00
Violation V – Failure to investigate a suspected release (Facility)	\$3,500.00
Violation VI - Failure to have CP tested (Facility)	No penalty taken
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Total	\$130,232.00

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